

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION**

CARL SHUPE, et al.,

Plaintiffs,

Case No. 1:21-cv-11528-TLL-APP

v.

Hon. Thomas L. Ludington  
Mag. Judge Anthony P. Patti

ROCKET COMPANIES, INC., JAY  
FARNER, DANIEL GILBERT, and  
ROCK HOLDINGS INC.

Defendants.

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**STIPULATION AND ORDER  
ADJOURNING SETTLEMENT CONFERENCE DATE**

Plaintiffs Carl Shupe and Matthew Pearlman (“Plaintiffs”), and Defendants Rocket Companies, Inc., Rock Holdings Inc., Jay D. Farner, and Daniel Gilbert (collectively, “Defendants,” and together with Plaintiffs, the “Parties”), hereby stipulate and agree as follows:

WHEREAS, this Court entered a Stipulation and Order setting certain case deadlines in this action on October 16, 2023 (the “Scheduling Order”). (ECF No. 75.)

WHEREAS, the Scheduling Order provides that the Parties shall attend a settlement conference on November 21, 2023 at 9:00 AM EST (the “Settlement Conference”). (*See id.* at PageID.2777.)

WHEREAS, Plaintiffs intend to seek to substitute one of the proposed class

representatives, Matthew Pearlman, with another proposed class representative.

WHEREAS, the Parties have worked diligently and cooperatively in discovery to date, including collectively producing more than thirty thousand documents, seeking discovery from third parties, and beginning to schedule and prepare for depositions, which are expected to commence in the coming weeks and to last through early 2024.

WHEREAS, the Parties have also agreed to pursue a full-day private mediation with the submission of pre-mediation materials to the mediator. To that end, the Parties are seeking available dates from jointly selected mediators for an in-person mediation to be conducted in New York.

WHEREAS, having met and conferred, the Parties agree that an adjournment of the current Settlement Conference date is necessary to (i) schedule and conduct the aforementioned private mediation, which the Parties believe will more effectively facilitate potential compromise between the Parties at this time; (ii) complete additional discovery, including depositions of class certification experts, fact witnesses, and corporate representatives required to make the Parties' planned mediation more productive; and (iii) allow the Parties to focus appropriate time and resources on briefing the pending class certification motion and associated discovery.

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by

and among the Parties hereto and subject to approval by the Court, that there is good cause to adjourn the Settlement Conference indefinitely, pending the planned private mediation between the Parties. Although the date of the private mediation is still subject to confirmation among the Parties, the Parties agree to report back to the Court on the results of the private mediation within two weeks following the conclusion of the private mediation.

IT IS SO STIPULATED AND AGREED.

DATED: November 17,  
2023

Respectfully submitted,

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/s/ Christine Fox

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DATED: November 17,  
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DATED: November 17,  
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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

CARL SHUPE, individually and  
on behalf of all others similarly situated,

Plaintiffs,

Case No. 1:21-cv-11528

v.

Honorable Thomas L. Ludington  
United States District Judge

ROCKET COMPANIES, INC.,  
JAY FARNER,  
DANIEL GILBERT, and  
ROCKET HOLDINGS, INC.,

Anthony P. Patti  
United States Magistrate Judge

Defendants.

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**ORDER GRANTING STIPULATION, ADJOURNING SETTLEMENT CONFERENCE,  
AND DIRECTING STATUS REPORT**

Having reviewed the Parties' attached Stipulation and Proposed Order, finding good cause,  
*see* FED. R. CIV. P. 16(b)(4), and this Court being otherwise fully advised in the premises:

It is **ORDERED** that the Parties' Stipulation Adjourning Settlement Conference Date is  
**GRANTED**.

Further, it is **ORDERED** that the Settlement Conference scheduled for November 21, 2023  
at 9:00 AM EST, *see* ECF No. 69 at PageID.2383, is **ADJOURNED** for a status conference on  
**January 29, 2024 at 3:00 PM EST**, over Microsoft Teams. Relevant links will be provided to the  
Parties in advance of the conference.

Further, it is **ORDERED** that Parties are **DIRECTED** to file a joint status report **by  
January 22, 2024** informing this Court of:

- (1) Discovery progress;
- (2) Parties' plans to complete discovery; and

(3) Information concerning the Parties' private mediation in New York including (a) the date mediation occurred or will occur (b) the name of the mediator (c) the results of the private mediation, if any.

Dated: November 20, 2023

s/Thomas L. Ludington  
THOMAS L. LUDINGTON  
United States District Judge